

REMARKS

RECAPITULATION OF THE CLAIMS

For the convenience of the Examiner, set forth below is a recapitulation of the current status of the claims in the present Application

Claim	Status	Dependency
1	Previously presented	Independent
2	Previously presented	1
3	Previously presented	2
4	Previously presented	2
5	Previously presented	4
6	Previously presented	1
7	Previously presented	1
8	Currently amended	19
9	Currently amended	19
10	Previously presented	Independent
11	Previously presented	10
12	Previously presented	10
13	Previously presented	10
14	Previously presented	2
15	Previously presented	2
16	Previously presented	1
17	Previously presented	2
18	New	Independent
19	New	Independent
20	New	Independent

Comments of Primary Examiner GROSZ have been reviewed carefully along with pertinent sections of the Patent Act, Patent Rules, the Manual of Patent Examining Procedure as well as the relevant decisional law. The Application has been amended in accordance with Primary Examiner GROSZ's requirements and favorable reconsideration is solicited earnestly.

Primary Examiner GROSZ has requested new drawings to improve the quality of the drawings and has requested that the elements of the claims be identified with reference to the drawings with numerals in parentheses. Accordingly, Claims 1-17 were previously amended to add numerals in parentheses it being understood that these numerals will not limit the scope of the claims in any way.

A Petition requesting a three month extension in the time for response to the Office Letter dated March 26, 2003 to and including September 26, 2003 and a check in the amount of \$465.00 covering the fee are enclosed.

Additional fees have been calculated as follows.

Total number of claims after amendment 20

Number of Independent claims after amendment 5

Independent claims originally paid for 3

Extra independent claims 2

A check in the amount of \$84.00 is enclosed to pay for the extra claims.

The application has been amended in accordance with Primary Examiner Grosz's requirements and favorable reconsideration of the application, as amended, is solicited earnestly.

The specification has been amended to insert a filing date for Provisional Application No. 60/1640 79 of November 5, 1999, in accordance with the Examiner's request.

In accordance with the Examiner's comments regarding the drawings a new set drawings is has been submitted with improved quality of line work. An

additional Fig. 29 has been added in accordance with the Examiner' request to further clarify the construction of the invention. No new matter has been added.

In accordance with the Examiner's suggestion, a model of the track guide shown in Fig. 5 is submitted herewith. A tag attached to the model identifies the serial number of the present application. The model demonstrates the nature of the cantilever spring which is integrally formed on the track guide.

Page 13 lines 4-5 of the specification has been corrected to designate 95 as an arrow and 94. Appropriate changes have been made in the drawings.

Page 13 of the specification has also been amended to designate the tip of the cantilever spring as 82.

Claims 1- 17 have been rejected under 35 USC No. 112 second paragraph is being indefinite for failing to particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The claims have been amended and a new claim 20 has been added to more clearly point to the invention. It is believed that the claims as amended and as added are patentable.

The Examiner has stated that claims 1-4, 6 10-17 are rejected under 35 USC No. 103 (a). as being "unpatentable over Draheim (note fig. 4C, 12A) or Guillot (note figure 8) both teaching springs used to block a slot in crib guides."

The Examiner has further stated,
"Claims 5, 7 -9 are objected to as being dependent upon a rejected based claim but would be allowable for free written in independent form including all of the limitations of the based claim and any intervening claims"

Accordingly, claims 5, 7- 9 have been rewritten and the subject matter of claim 5 is now presented as a new independent claim 18. The subject matter of claim 8 is now presented as a new independent claim 19. Claims 8 and 9 have been amended to depend from claim 19.

Reconsideration of the Examiner's rejection of claims 1-4, 6, 10-17 is requested on the following bases. Examination of the Draheim and Guillot patents reveals the following differences between the devices shown therein and the apparatus of the present invention and the statements of the Examiner.

1. Draheim in fig. 4C shows a complex structure which includes a pressure flipper which is rotationally mounted on the track guide . The position of the pressure flipper is controlled by a torsional spring which has the overall configuration of a hair spring. As shown in Fig 12 A the spring includes a central helical portion and a pair of end tangs. The rotational position of the end tangs are controlled by the central helical portion. The pressure flipper under the force of the spring rotates and applies pressure to the dropside of the crib when the dropside is raised. The function of the spring is to apply pressure to the dropside and not to block the slot in the track guide

2. The spring in Draheim does not and cannot block the slot in the track guide.

3. The pressure flipper projects beyond the track guide to contact the dropside and apply pressure to the dropside. The present invention does not

require or use any members which project beyond the track guide for any purpose.

4. The present invention that does not use a pressure flipper of any kind nor a spring to control a pressure flipper nor any device similar to a pressure flipper.

5. The present invention does not use a torsional spring of any kind.

6. The present invention does not use a spring of any kind to control a pressure flipper

7. The present invention does not rely on the application of pressure to the drop side of the crib in order to function.

8. The present invention as shown, described and as claimed in claim 1 features a spring which is moved by the action of the pin acting directly on the spring. This direct action of the pin on the spring is not shown in Draheim nor in Guillot.

9. As explained in Draheim, Col 5 lines 4-15, the pressure flipper under the force of the spring applies pressure to the dropside when the dropside is raised and the pressure flipper comes in contact with the stabilizer bar bracket to allow a pin extending from the stabilizer bar bracket to fall into a lock position.

The present invention does not rely on the spring operated pressure flipper bar of any kind.

10. Guillot in Fig 8 shows a complex structure, which includes a sliding cam which is supported by a pair of helical compression springs. The springs are guided by pins and are received in apertures formed in the sliding cam.

11. The sliding cam in Guillot has a specially formed inclined surface to catch the pin and a guide tongue to control the motion of the cam in the track and the cam under the force of the helical springs serves to block a portion of the track.

12. The helical springs in Guillot do not block the slot in the track but merely serve to bias the position of the cam. The springs in Guillot need to be guided by pins 67,68 in addition to being received in apertures in the cam in order to keep the cam from jamming in the slot.

13. The present invention avoids all of the limitations of Guillot. The present invention does not need or use a cam of any kind.

14. The present invention does not use a pair of helical compression springs or even a single helical compression spring.

15. The present invention is not subject to the possibility of jamming caused by the use of the multiple components with multiple sliding surfaces of Guillot which must ride properly in a slot. The present invention uses a single spring which may be integrally formed on the track thereby eliminating the problems of complexity of the cited references.

The structure and the operation of the Draheim and Guillot devices are completely different from the structure and operation of present invention. The present invention uses a spring such as a cantilever spring which may be integrally formed as part of the track guide to block the motion of the pin in the track guide. The present invention shows and claims a resilient portion or spring member or which flexes under the direct action of the pin. The elements of the Draheim and Guillot devices cannot be modified or combined to result in the apparatus of the present invention.

The Draheim and Guillot devices use springs which are of a different type, having a different mode of action and operating in a completely different manner than the present invention. There is no teaching in Draheim or Guillot either alone or taken together which anticipates or leads to the structure of present invention

For the above reasons the application of the Draheim and Guillot patents is not considered to be appropriate and reconsideration of the rejection of claims 1-4, 6, and 10-17 is respectfully requested.

In view of the foregoing changes and explanations, it is believed that claims 1-20 are patentable and a notice of Allowance on the Application is respectfully requested..

Courtesy, cooperation and skill of Primary Examiner GROSZ are appreciated.

Respectfully,



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9/25/2003

Dated: Teaneck, NJ

Attachment:

17 Sheets of Drawings
Petition
Checks in the amount of \$465.00 and \$84.00